IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 11TH AUGUST 2006 / 20TH SRAVANA 1928

Bail Appl..No. 4929 of 2006

CC.973/2004 of J.M.F.C.,ALATHUR
CRIME NO.132/2004 OF NENMARA POLICE STATION

.....

APPLICANT/ACCUED NO.1

CHANDRAN, AGED 35 YEARS,
S/O.NELLIKKOLAN, THIRUTHAMPADOM,
POTHUNDI, NENMARA, CHITTUR TALUK.

BY ADV. SRI.P.VIJAYA BHANU
SRI.PRASUN.S

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/08/2006, ALONG WITH B.A. NOS. 4932/06, 4933/06 AND 4944/06, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A.Nos. 4929/06,4932/06, 4933/06 & 4944/06

DATED THIS THE 11TH DAY OF AUGUST, 2006

O R D E R

One Chandran is the petitioner in all the four cases. He is before this Court, under Section 438 Cr.P.C., as he apprehend that he may be remanded, on his appearance before the Court below, because of the pendency of non bailable warrant in different cases.

2. B.A.No.4929/2006 is preferred praying that the remand may be averted in C.C.No.973/2004 on the file of the Judicial Magistrate of First Class, Alathur, where the non bailable warrant is pending, because of his non appearance.

3. B.A.No.4932/2006 is preferred with the similar prayer in C.C.No.722/2004 of the same Court. B.A.No.4933/2006 and B.A.No.4944/2006 are also preferred with the similar prayer in C.C.No.412/2002 and C.C.762/1997 respectively, on the file of the Judicial Magistrate of First Class, Alathur. In B.A.No.4944/2006, the case against the accused was split up and it is now

pending as C.C.705/2005.

4. I heard the arguments advanced by both sides. The submission of the learned counsel for the petitioner is that though he was granted bail in all the above cases, he could not appear as he was in Mumbai.

5. It is clear from the materials available on record that he was absconding after getting bail. Therefore, I direct the petitioner to appear before the Court below, in all the above cases on 18.8.2006 at 11.00 a.m. The petitioner may move separate bail applications before the Court, and the learned Magistrate shall hear the petitioner as well as the prosecution and pass orders on merit, on the same day itself, provided the petitioner files the bail application(s) and supplies the copy/copies of the same, to the APP well in advance, before his surrender, as ordered above.

All the applications are disposed of accordingly.

J.M.JAMES
JUDGE

mrcs